

### **REMARKS**

Applicants have received and carefully reviewed the Office Action dated February 1, 2011. Because the three (3) month response date falls on a Sunday, the time for reply extends to May 2, 2011.

Applicants have amended independent claims 1 and 6 above without prejudice. After entry of this Amendment and Response, claims 1-3, 6, 8, 11 and 25-27 will be pending. Support for the amendments is found throughout the specification, and by way of example at paragraphs [0033] to [0035] of the published application.

### **Claim Objections**

First in the Office Action, claims 1 and 6 were objected to for grammatical errors. Applicants traverse the objection, but have corrected the grammatical errors by amending claim 1 to recite, in part, "[a]n arrangement for manufacturing a PET container having a handle formed on a body by continuous injection blow mold, comprising" and claim 6 to recite, in part, "[a] method of manufacturing a PET container having a handle formed on a body by continuous injection blow mold, comprising the steps of."

Applicants respectfully request withdrawal of the objection in view of the amendments to claims 1 and 6.

### **35 U.S.C. § 112**

Next, claims 1-3, 6, 8, 11 and 25-27 were rejected under 35 U.S.C. § 112 (first paragraph) for allegedly failing to comply with the written description requirement. Applicants respectfully traverse the rejection. However, solely to further prosecution and without acquiescing to the rejection, Applicants have amended claim 1 to recite "a third bottle-shaped blow mold" and claim 6 to recite "performing a third blowing operation in a third preform blow mold."

Applicants respectfully request withdrawal of the rejection in view of the amendments to claims 1 and 6.

**35 U.S.C. § 103(a)**

The Office Action included the following substantive rejections:

- At page 3 of the Office Action, claims 1, 2, 6, 11 and 22-26 were rejected under 35 U.S.C. § 103(a) as allegedly obvious over Shinichi et al. (JP8323845) in view of Uhlig (US 3,740,181), Hagano et al. (US 2002/0125254), Farrell (US 4,038,006), Mojonnier et al. (US 3,366,290), Scott et al. (US 2004/0134171), Cox (US 4,291,915), Jabarin (US 4,522,779), and optionally Maruniak et al. (US 3,817,390), Wallace (US 2,936,920) or Reil (US 5,191,988).
- At page 8 of the Office Action, claims 3 and 8 were rejected under 35 U.S.C. § 103(a) as allegedly obvious over the previous combination of Shinichi et al. in view of Uhlig, Hagano et al., Farrell, Mojonnier et al., Scott et al., Cox, Jabarin, Maruniak et al., Wallace and Reil as applied to claims 1 and 6 above, and further in view of Fischer et al. (US 4,123,217) and optionally Carver Jr. et al. (US 3,754,489) and Muzzy (US 5,360,661).
- At page 11 of the Office Action, claim 27 was rejected under 35 U.S.C. 103(a) as allegedly obvious over the previous combination of Shinichi et al., in view of Uhlig, Hagano et al., Farrell, Mojonnier et al., Scott et al., Cox, Jabarin, Maruniak et al., Wallace and Reil as applied to claims 1 and 6 above, and further in view of Perea (US 5,957,415).

Applicants respectfully traverse these rejections.

As an initial matter, Applicants note the Office Action rejects claims 1, 2, 6, 11 and 22-26 at page 3; however, claims 22-24 are not currently pending. Therefore, for purposes of this Response, Applicants will assume the rejection on page 3 should have recited claims 1, 2, 6, 11 and 25-26. Please contact the undersigned attorney (Brian Batzli) if Applicants' assumption is incorrect.

Solely to further prosecution and without acquiescing to the rejections, Applicants have amended independent claims 1 and 6. Independent claim 1 is amended to recite, in part, "a first PET container with a volume between 60-80% of a completed PET container and having an

elliptical hollow portion of uniform thickness formed at the center” and “wherein the first temperature controlled preform creates a temperature variation in a circumferential direction of the preform by heating an outer peripheral portion of the preform corresponding to a minor axis of an ellipsoid of the first PET container after blow molding the preform higher than an outer peripheral portion of the preform corresponding to a major axis of the ellipsoid of the first PET container after blow molding the preform.”

Independent claim 6 is amended to recite, in part, “a first hollow PET container with a volume between 60-80% of a completed PET container and having an elliptical hollow portion of uniform thickness formed at the center” and “wherein the elliptical hollow portion is formed by creating a temperature variation in the circumferential direction of the preform by heating an outer peripheral portion of the preform corresponding to a minor axis of an ellipsoid of the first PET container after blow molding the preform higher than an outer peripheral portion of the preform corresponding to a major axis of the ellipsoid of the first PET container after blow molding the preform.”

The recited element “elliptical hollow portion of uniform thickness” of the first PET container is important because it provides an appropriate shape for forming a handle section on the PET bottle through a series of subsequent molding processes. *See, e.g.*, paragraph [0033]. To achieve an elliptical hollow portion with uniform thickness, the presently claimed apparatus and method create a temperature variation in the circumferential (rotational) direction of the preform by heating an outer peripheral portion of the preform corresponding to a minor axis of an ellipsoid of the first PET container after blow molding the preform higher than an outer peripheral portion of the preform corresponding to a major axis of the ellipsoid of the first PET container. *See, e.g.*, paragraph [0035]. Thus, the outer peripheral portion of the preform corresponding to the minor axis of the ellipsoid is extended more than the outer peripheral portion of the preform corresponding to the major axis of the ellipsoid. *Id.* This difference in extension, in part, allows the hollow portion of the first PET container to have the elliptical shape having a uniform thickness. *Id.*

The currently pending independent claims require either a method or apparatus allowing the first PET container to have an elliptical hollow portion of uniform thickness and a method or

apparatus to create a temperature variation in the circumferential (rotational) direction of the preform by heating an outer peripheral portion of the preform corresponding to a minor axis of an ellipsoid of the first PET container as described above and in the application specification at paragraph [0035].

None of the cited references – alone or in combination – disclose, suggest, or make obvious the presently claimed apparatus of independent claim 1 or the presently claimed method of independent claim 6. Claims 2-3, 8, 11 and 25-27 all depend from either claim 1 or 6. Therefore, claims 2-3, 8, 11 and 25-27 are patentable for at least the same reasons as independent claims 1 and 6. Applicants respectfully request the withdrawal of these rejections.

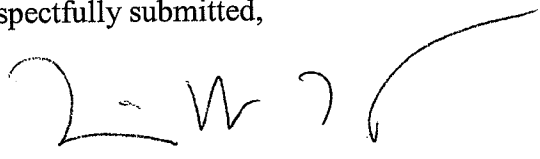
Summary

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. Applicants do not otherwise concede the sufficiency of the rejections or characterization of the art and reserve the right to make additional arguments as may be necessary. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Also, please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

2 May 2011  
Date

  
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